

**MINUTES RECAP
MARYSVILLE CITY COUNCIL - REGULAR MEETING
MAY 22, 2000**

000198

CALL TO ORDER/FLAG SALUTE	7:00 p.m.
ROLL CALL	All present.
MINUTES OF PREVIOUS MEETING 1. May 8, 2000 city council 2. May 16, 2000 council workshop	Approved as corrected. Approved as presented.
AUDIENCE PARTICIPATION 1. Priscilla Benfield 2. Jeff Seibert	
PRESENTATIONS/PETITIONS/COMMUNICATIONS None.	
ACTION ITEMS	
REVIEW BIDS 1. Five aerators to be purchased in 2000. 2. Re-roof barn at Jennings Park	Approved bid of Aeromix Systems Inc. Approved bid of C. Walter Smith Roofing, Inc.
PUBLIC HEARING None.	
CURRENT BUSINESS 1. No parking SR528 at 65 th Drive NE (continued from February 14) 2. 116 th Street master Plan (continued from May 8, 2000).	Approved. Approved proceeding with cul-de-sac option, subject to conditions.
NEW BUSINESS 1. Comprehensive Plan Amendment Requests - Amendment Request No. 2 - Amendment Request No. 3 - Amendment Request No. 4 - Amendment Request No. 5 - Staff Request No. 1, the map amendment, and Staff Request No. 2, the text amendment. 2. Neighborhood Traffic Management Program 3. Truck Parking	Denied. Approved. Denied, without prejudice. Denied. Approved. Approved as presented. Continued to June 26.
CONSENT AGENDA 1. Approve May 22, 2000 claims in the amount of \$658,744.54; paid by check nos. 52178 through 52463 with check nos. 50076, 52168, and 52227 void. 2. Authorize Mayor to sign the interlocal agreement for the Snohomish County Regional Task Force. 3. Approve revised Hotel/Motel Grant Policy and authorize staff to prepare a resolution. 4. Approve golf fees for Early Bird, Twilight, and Youth Summer Pass and direct staff to prepare resolution. 5. Approve handicap parking stall; 1500 Block of First Street, Marysville. 6. Approve Supplemental Agreement No. 2 with Skillings Connelly; R9701-State Avenue 116 th Street to 136 th Street Road Improvements Project. 7. Approve Supplemental Agreement No. 3 with Skillings Connelly; R9701-State Avenue 116 th Street to 136 th Street Road Improvements Project.	Approved. Approved. Approved. Approved. Approved. Approved.
LEGAL MATTERS None.	
ORDINANCES AND RESOLUTIONS	
1. An Ordinance of the City of Marysville, Washington amending MMC 12.32.050 relating to vacation of streets and alleys and the methods of appraisal of the right of way to be vacated. 2. An Ordinance of the City of Marysville amending Ordinance No. 2301 relating to the 2000 budget and providing for the change of certain expenditure items as budgeted for in 2000. 3. A Resolution of the City of Marysville stating its intention to apply for funding assistance for an aquatic lands enhancement account project to the Department of Natural Resources. 4. A Resolution of the City of Marysville granting a utility variance for Jesse A. Perrault for property located at 4930 72 nd Drive N.E., Lot 7, Marysville, Washington.	Approved Ordinance 2321. Approved Ordinance 2322. Approved Resolution 1981. Approved Resolution 1982.

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5. A Resolution of the City of Marysville granting a utility variance for Olga Bjorn for property located at 17028 19 th Drive N.E., Arlington, Washington.	Approved Resolution 1983.
6. A Resolution of the City of Marysville granting a utility variance for Michael Martin for property located at 6710 19 th Avenue N.E., Marysville, Washington.	Approved Resolution 1984.
7. A Resolution of the City of Marysville granting a utility variance for Steve J. Brown for property located at 6620 19 th Avenue N.E., Marysville, Washington.	Approved Resolution 1985.
INFORMATION ITEMS	
1. Mayor's business	
2. Staff's business	
3. Call on councilmembers	
ADJOURN	11:00 p.m.

**MINUTES
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MAY 22, 2000**

CALL TO ORDER/FLAG SALUTE

The meeting was called to order by Mayor David Weiser at 7:00 p.m. in the Council Chambers, and the assemblage joined in the flag salute. A voice roll call of councilmembers was conducted. Attendance was as follows:

Councilmembers Present:	Administrative Staff present:
David Weiser, Mayor	Dave Zabell, City Administrator
Mike Leighan, Mayor Pro Tem	Ralph Krusey, Police Commander
Shirley Bartholomew	Gloria Hirashima, City Planner
Jim Brennick	Grant Weed, City Attorney
Norma Jean Dierck	Ken Winckler, Public Works Director
Donna Pedersen	Owen Carter, City Engineer
Suzanne Smith	Eric Thompson, Senior Planner
John Soriano	

MINUTES OF PREVIOUS MEETING

1. City Council Meeting, May 8, 2000.

Councilmembers noted the following corrections:

- Page 2, last paragraph before motion: "Arlington and Snohomish" should be "Granite Falls and Snohomish."

MOTION by Dierck, second by Leighan, to approve the minutes of the May 8, 2000 meeting as corrected. Motion carried unanimously (7-0).

2. City Council Workshop, May 16, 2000.

MOTION by Leighan, second by Smith, to approve the minutes of the May 16, 2000 workshop as presented. Motion carried unanimously (7-0).

AUDIENCE PARTICIPATION

Priscilla Benfield, 68133 73rd Street NE, challenged the impartiality of Councilmembers Bartholomew, Pedersen and Leighan with reference to New Business item No. 1.D., Comp Plan Amendment Request No. 5. Mr. Weed responded that no testimony had been offered that would constitute a basis for excusing the three councilmembers. But even if it had, comp plan amendments were not subject to the appearance of fairness doctrine because they were legislative actions and not quasi-judicial actions. If the council chose to hold its own public hearing on the topic, the action before it would still be a legislative action and not subject to the appearance of fairness doctrine. Ms. Benfield requested that her statement be included in the minutes in its entirety.

May 22, 2000

Marysville City Council:

My name is Priscilla Benfield my address is 6813-73rd St. NE here in Marysville. I am a concerned citizen of Marysville and as such I challenge the impartiality of Shirley Bartholomew, Donna Pederson (sic) and Mike Leighan in a matter before this council tonight and ask for their recusal.

My concern is that these three individuals will have difficulty being fair judges.

To avoid the appearance of unfairness I politely and respectfully request that Shirley Bartholomew, Donna Pederson (sic) and Mike Leighan excuse themselves from discussion as well as voting on Amendment #5.

Regards,

Priscilla Benfield

Jeff Seibert, 5004 80th Street, questioned council's procedures for dealing with matters coming from the Planning Commission, particularly with reference to the information it would be reviewing in reference to Comp Plan Amendment Request No. 5. Ms. Hirashima noted that councilmembers had been supplied with complete copies of each comp plan amendment file, including minutes of the Commission meetings and copies of petitions and letters that had been received. Mr. Weed noted that in January 1977 council passed Resolution 1839, which set out the procedure for reviewing comp plan amendments. There were four options: approve, disapprove as recommended by the Planning Commission, modify and approve, or refer the matter back to the Planning Commission. The Planning Commission had held full public hearings after considerable notices were given and compiled a record. A copy of that record was supplied to council. Following closure of the

Commission's deliberations, other letters were received. He counseled staff against including those documents in council's record because they had not been made available nor been considered by the Planning Commission in its deliberations. He recommended to council that if it opted to change any of the Planning Commission's recommendation to hold its own public hearings so everyone with an interest would have an opportunity to participate. Then it could accept new information, including the documents mentioned earlier, which had been excluded from council's consideration. He asserted that it would not be proper to hold a public hearing at this meeting; if council wanted to take any other action than the four listed earlier, it needed to schedule its own public hearing and advertise that public hearing. Then it could consider additional information that had been submitted after the Planning Commission deliberations were closed.

PRESENTATIONS/PETITIONS/COMMUNICATIONS:

None.

MOTION by Dierck, second by Leighan, to reorder the agenda and take New Business No. 1, Comp Plan Amendment Requests, at this point in the meeting. Motion carried unanimously (7-0).

ACTION ITEMS

NEW BUSINESS

1. Comprehensive Plan Amendment Requests

Ms. Hirashima gave the background presentation, noting the proposed amendments included staff initiated and property owner initiated requests. No. 1 had been withdrawn.

Councilmember Dierck questioned the timing of the requests, which did not fall within the schedule set out in the code. Ms. Hirashima responded that the city was out of sync with the stated schedule. This was because the deliberations on the 1997 amendments did not conclude until 1998. That upset the 1998 cycle, pushing them into 1999, because the Growth Management Act mandated the city could have only one review per year. So all of the 1999 requests were folded into the 2000 review. She suggested that the city's code be revised to allow more than the 60 days currently allowed for review because that was insufficient for complex requests.

Councilmember Dierck questioned whether the city's flexibility regarding the schedule favored certain applicants. Ms. Hirashima noted that all the revised comp plan amendment deadlines had been advertised and published and council had received briefings. Council had been aware throughout the process that it was taking more than 60 days. It had extended the time for filing a request; it was at the end of that extension that most of the requests came in.

Councilmember Smith asked if the GMA set out a specific schedule; Mr. Weed stated that was more general. It did mandate that only one review cycle be held per year and the city had complied with that.

Councilmember Dierck asked why all the requests were coming to council in one night. Mr. Weed responded that language in the GMA required that comp plan amendment requests be considered as a group so the relationship and effect of one on another could be reviewed.

Mr. Thompson presented information from the agenda packet on each request.

A. Amendment Request No. 2: Landmark Organization.

This was a request to extend medium density multi-family residential into an area that was currently light industrial. The Planning Commission recommended denial because that was not consistent with the city's policy of reserving its industrial land base.

B. Amendment Request No. 3: Lance Brown

This amendment would change the designation of five acres on the north side of 88th from single family residential medium density to general commercial. Mr. Thompson noted this was a follow-on to a previous rezone and conditional use permit. This had been recommended for approval by the Planning Commission, subject to significant conditions regarding coordinating the access on 88th.

Councilmember Dierck asked if the Planning Commission had received the March 20th letter from the Department of Transportation. Mr. Thompson said they had reviewed it prior to the public hearing process. The State had reviewed the traffic study and included conditions regarding further study, which the city would request.

Councilmember Smith expressed her concern regarding the access issue; Mr. Thompson noted the access plan was for right in, right out, and left in. This would be reviewed when volumes exceeded a certain level. Regarding stream setbacks, they were 125' from the edge of the stream or top of the bank, whichever was greater. Councilmember Smith questioned whether the neighboring property owners had received adequate notice; Mr. Thompson reviewed the process, noting one property owner had testified at the public hearing and there were some letters from neighbors in the file. Regarding the geo technical report, Mr. Thompson stated it had been done in 1996 or '97 for the south part, then applicants updated it in support of this request. The reports were valid for a number of years unless there was a significant change. An example would be the property to the north of this request where the report was no longer valid because of groundwater issues in that area.

Councilmember Brennick asked about the ingress/egress issue. Mr. Thompson stated it would be based on the city's Access Management Plan. Upon building permit or development approval, the plan would be reviewed for compliance. The owners and tenants could use the area next to the tracks for access but he felt that in the future that would likely be routed to the western access. Councilmember Brennick asked how much right-of-way there was between Smokey Point Boulevard and the tracks. Mr. Carter responded that there was no right-of-way, that was all private access. He noted the city had been working with some business owners to the south regarding access onto 88th, alerting them that the Access Management Plan stated that when development occurred there, access would be restricted if not eliminated.

C. Amendment Request No. 4, Tom Little & Don Mann.

Mr. Thompson explained this request was for expansion of the urban growth boundary and to designate the areas shown on the map as general commercial. The Planning Commission recommended denying this without prejudice, which would allow them to pursue this in the future. The applicants were pursuing this with Snohomish County now. He added that the Planning Commission's recommendation had been forwarded to the county's Planning Department as they were reviewing an environmental statement that included this request.

Councilmember Smith noted the city did not have anything in its urban growth area east of Highway 9 and there had been a great deal of citizen input on this request. Mr. Thompson responded that most of the input had been in letter form. The applicants had been pursuing this change with Snohomish County for four or five years. The neighborhood had been actively involved. Councilmember Smith noted the area was still rural with many Small Farm overlays.

D. Amendment Request No. 5, Belmark Industries, Inc.

This request was for a change of land use designation of the area south of Grove and west of 67th Avenue. It was currently developed with a golf driving range, so was virtually vacant. The application was for a change from single family to medium density and also anticipated creating a Park & Ride facility on 67th. After thorough review, the Planning Commission recommended denial.

Councilmember Dierck asked about the information in the packet regarding wetlands. Mr. Thompson noted the original submittal included a wetland reconnaissance by a biologist (Exhibit 13). This let a property owner know whether he had a wetland or not. The Planning Commission had questions about the wetland so they instructed applicant to pursue delineation. That was prepared by another company and submitted with a map (Exhibit 38). The developer had used most of the land for the driving range and the balance was a construction staging area where dirt and debris were stored. The biologist reported that the disturbance created an area that collected water and turned it into wetland conditions. This unnaturally-created wetland was actually higher than the sidewalk.

Councilmember Dierck asked about the criteria for the height of the buildings. Mr. Thompson explained that multi-family structures adjacent to a single-family development could have no more floors than the single-family structures. For part of the proposed development, there were no adjacent buildings so the height restriction did not apply. Also, the city's code did not mean that all buildings in a development needed to meet that height requirement.

Regarding the Park & Ride, he noted there was interest in pursuing that and there was correspondence in the file but Community Transit did have budget constraints.

Councilmember Pedersen noted the driving range had been developed pursuant to a conditional use permit that overlaid Single Family Residential. If the driving range were

removed and there was no rezone, the property would retain its Single Family Residential designation. She asked if there was an area along Grove that was designated Community Business; Mr. Thompson responded that it was all Single Family Residential.

Councilmember Brennick asked if this was the first time a Park & Ride had been considered in a residential area; Mr. Carter responded there were two others, Ash Avenue and Asbury Field. Ms. Hirashima noted that Park & Pool installations required smaller lots and the city had two of those, one at the Marysville United Methodist Church and one at St. Mary's Catholic Church on 88th Street.

Councilmember Brennick asked about Exhibit 36 (e). Mr. Thompson gave the background, noting the report was based on wetland reconnaissance not wetland mitigation. Those issues did not pertain at this time as the city code stated Level 4 wetlands did not require mitigation. If the development went forward, there were some issues applicant would have to pursue with the Corps of Engineers.

Councilmember Leighan asked whether duplexes would be allowed under the current code; Mr. Thompson said they would, under a conditional use.

MOTION by Dierck, second by Leighan, to consider the comp plan amendment requests separately. Motion carried unanimously (7-0).

MOTION by Dierck, second by Smith, to approve the Planning Commission recommendation and deny Amendment Request No. 2. Motion carried unanimously (7-0).

MOTION by Dierck to reject the Planning Commission recommendation and deny Amendment Request No. 3. There was no second.

MOTION by Bartholomew, second by Brennick, to approve the Planning Commission recommendation and approve Amendment Request No. 3. Dierck voted nay; all others voted aye; motion carried (6-1).

MOTION by Dierck, second by Brennick, to approve the Planning Commission recommendation and deny without prejudice Amendment Request No. 4. Motion carried unanimously (7-0).

MOTION by Dierck, second by Soriano, to approve the Planning Commission recommendation and deny Amendment Request No. 5. Motion carried unanimously (7-0).

MOTION by Leighan, second by Pedersen, to approve the Planning Commission recommendation to approve Staff Request No. 1, the map amendment, and Staff Request No. 2, the text amendment. Motion carried unanimously (7-0).

The Mayor called for a five-minute recess at this point, then reconvened the meeting.

Review Bids

1. Five aerators to be purchased in 2000.

Mr. Winckler gave the staff presentation, noting the trial run of units built by Aeromix Systems and Aeration Industries showed that both were satisfactory. Aeromix submitted the only responsive bid, which staff was recommending.

MOTION by Leighan, second by Brennick, to accept the low bid of \$29,182.62, including tax, from Aeromix Systems Incorporated for the purchase of five aerators. Motion carried unanimously (7-0).

2. Re-roof barn at Jennings Park

Mr. Kennedy advised that 14 notices had been sent to construction companies and quotes had been received. Those had been helpful in the budgeting process. Only one actual bid had been received and it was consistent with the earlier information. There was no asbestos abatement to be done. The roofing would be heavy cedar shakes. The shape of the roof prevented the use of metal roofing.

MOTION by Dierck, second by Pedersen, to accept the bid from C. Walter Smith Roofing, Inc. and authorize the expenditure of \$30,242.78 for the re-roofing job. Motion carried unanimously (7-0).

Public Hearing

None.

Current Business.

1. No parking SR528 at 65th Drive NE (continued from February 14)

Mr. Winckler gave the background information, recommending that the no-parking zone be extended to 400 feet to the east and 300 feet to the west on SR 528 from 65th Drive NE and that the Community Transit stop be moved to the west side of the intersection.

Councilmember Leighan asked if Community Transit had requirements for the distance between stops. Mr. Carter responded that CT was willing to have the stop moved; they did not want it eliminated because it served many people in that area.

The Mayor called for public input.

Pat Cantoni, 5814 74th Drive NE, asked if the no-parking zone applied to the semi trucks that parked in the area; Mayor Weiser responded that they would not be allowed to park there. Truck parking would be discussed in detail later in the agenda.

MOTION by Bartholomew, second by Leighan, to accept the staff recommendation that the no-parking zone be extended to 400 feet to the east and 300 feet to the west on SR 528 from the centerline of 65th Drive NE and that the Community Transit stop be moved to the west side of the intersection. Motion carried unanimously (7-0).

2. 116th Street master Plan (continued from May 8, 2000).

Councilmember Pedersen noted that her motion would be putting into formal action the results of the Council's deliberations at its May 16 workshop.

MOTION by Pedersen, second by Leighan, to proceed to evaluate the cul-de-sac option, subject to the following conditions:

- No bridge over Quilceda Creek.
- The State Avenue option of a railroad crossing will continue to be evaluated in consultation with Burlington Northern Railroad until such time as an informed choice can be made regarding its feasibility.
- The area west of Quilceda Creek will remain single family residential (per existing zoning) and will be deleted from the master plan area.
- A more detailed analysis of access issues in the vicinity of 36th Avenue will be provided with pros and cons for different options.
- Staff will provide additional information regarding the existing comprehensive plan amendment for properties along 36th Avenue NE.

Councilmember Dierck asked if all other areas remaining in the planning area would be Mixed Use. Ms. Hirashima responded that the only plan amendment request was for five lots on the west of 36th Drive to be Freeway Service and the three lots on the east of 36th to be Community Business. The next step would be for the map and text to be prepared and sent to the Planning Commission for a public hearing process. There would be extensive notice for any hearing; staff had over 500 names on a mailing list for the entire planning area plus the area around the 36th Drive proposed changes. The planning area notices extended well beyond the actual planning boundary.

Councilmember Brennick commented that the study should also include alignment of 36th north and south, Tulalip Tribes right-of-way and access to freeway services property, and having the trailer park ingress/egress be from the southeast corner. Mayor Weiser responded that the detailed analysis of 36th Drive would encompass the trailer park question, and the additional information regarding the existing comprehensive plan amendment for properties along 36th Avenue NE would encompass the 8 or 11 single-family residents to the north of 36th Drive as to the question of Freeway Services.

Councilmember Brennick offered the following for inclusion in the motion:
 - continued discussion and coordination with the Tulalip Tribes regarding right-of-way and access to freeway services property.
 The maker and seconder of the motion agreed.

Councilmember Bartholomew asked if the motion included a study of signalization at 36th and possibly some other location between I-5 and State; Councilmember Pedersen advised that was part of the alternative to be studied.

Councilmember Soriano asked about the "hard channelization" mentioned in the packet. Mr. Carter said these were methods of stopping left turns: median or planter strips, jersey barriers.

VOTE ON MOTION: Motion carried unanimously (7-0).

MOTION by Brennick, second by Dierck, to rescind the above motion in order to allow public input. Motion carried unanimously (7-0).

The Mayor called for public input.

Dorothy Kalma, 12314 55th Drive NE, stated she had an ownership interest in over eight acres which had been zoned as Freeway Services for over 30 years. The property had been in the county until six years ago. Since annexation, the city had received taxes from the property at the Freeway Services rate, which was approximately \$7,000 this year, with over \$2,000 for schools, and \$1,500 to the state. She requested the property be allowed to be developed to its highest and best use, Freeway Services, which meant the property could be accessed directly off of I-5. She also favored a light at 36th.

Dick Kalma, advised he was part owner of the eight acres on the northeast corner of 116th and 36th Drive NE. He had talked to the state engineer on the 116th project, who said there was 350 feet from intersection to intersection. He questioned staff's measurement of 315 feet. Additional comments included: the first traffic signal should be at 116th and 36th Drive NE as the road was there and no land needed to be acquired; acquisition of two lots for full access to commercial and the adjoining ten acres; no additional north/south road was needed; did not support limited access onto 36th Drive; no road into the Bedell Kruse addition was needed. The Planning Department knew they owned property affected by the plan but they were not notified. Mr. Owen responded that his measurement had been done with a measuring wheel, starting at the centerline of 36th Drive to the center line of the on/off ramp.

Jeff Seibert, supported retaining single family west of the creek. He asked about the density. Ms. Hirashima noted it was medium density, 4.5 d.u./acre.

Celia Hammond, 11414 35th Drive NE, asked for clarification regarding 36th to the south. Mayor Weiser responded the road under discussion was a new north/south central boulevard, which had not been sited. Councilmember Brennick added that discussion at the workshop had been to investigate a revision of the access beginning east of the store, running south and utilizing the Tribes property. This would eliminate the need for a right-in/right-out at the trailer park. The possibility of realigning 36th on the north side to tie into the current location of 36th on the south of 116th had also been discussed.

MOTION by Pedersen, second by Leighan, to reinstate the previous motion as amended, which was to proceed to evaluate the cul-de-sac option, subject to the following conditions:

- No bridge over Quilceda Creek.
- The State Avenue option of a railroad crossing will continue to be evaluated in consultation with Burlington Northern Railroad until such time as an informed choice can be made regarding its feasibility.
- The area west of Quilceda Creek will remain single family residential (per existing zoning) and will be deleted from the master plan area.
- A more detailed analysis of access issues in the vicinity of 36th Avenue will be provided with pros and cons for different options.
- Staff will provide additional information regarding the existing comprehensive plan amendment for properties along 36th Avenue NE.
- continued discussion and coordination with the Tulalip Tribes regarding right-of-way and access to freeway services property.

VOTE ON MOTION: Motion carried unanimously (7-0).

New Business (Continued)

2. Neighborhood Traffic Management Plan

Mr. Carter briefly introduced the agenda materials, noting traffic management programs had been used nationwide for 5 to 7 years. Staff's version required neighborhood involvement in the process. Council had reviewed the plan earlier, in regards to problems on 72nd, but had concerns about the petition process.

Councilmember questions and comments included:

- The requirement that five or more complaints be received before the program would be initiated; Mr. Carter advised that staff kept track of all citizen complaints so it would not be necessary for the five to be received at the same time.
- Did the citizens like this program? Mr. Carter noted the city did not have an adopted traffic-calming program in place to offer neighborhoods.
- Were funds available for implementation? Mr. Carter advised that \$50,000 would be requested in the budget to support neighborhood traffic calming measures.
- The speed watch program was the radar and digital read-out in use at this time.
- Who would determine the boundary for the circulation of a petition? The Engineering Department would look at the area they thought would be impacted by installation of measures and would propose the boundary.
- Could stop signs be placed to address visibility at some intersections? Mr. Carter noted the city followed the MUTC manual and an intersection must meet warrants in order for a stop sign to be installed. A traffic study was currently underway for 71st and Grove.

Mr. Zabell noted that the Police Department was still responding to neighborhood complaints; the proposed plan simply gave the Engineering Department another tool for implementing additional traffic calming measures in neighborhoods.

Mr. Carter then gave a detailed presentation on the proposed 3-level process and reviewed the history of the measures taken on 72nd.

Additional questions included:

- Had the Fire Department approved the measures? Mr. Carter responded that no traffic calming devices would be installed on emergency access routes. Staff would be working with the Fire Department to establish the Emergency Access Plan.
- Would this proposal require additional staff? Mr. Carter responded that additional staff was not being requested. Snohomish County had a full-time employee working on this and staff would work with that person. Seniors Against Crime might also be utilized. The new Customer Service person would be tracking incoming complaints.
- Who would a citizen contact with a complaint? The Engineering Department or the Safety Committee.
- Had there been many complaints on Grove? Mr. Carter stated there had not been many. Grove was an arterial, not a neighborhood street, so the city would be very restricted regarding traffic calming devices that could be used there.
- When the program received publicity, the city could be flooded with complaints and requests for help. Mr. Carter responded that the requests would have to be prioritized as there would not be enough funding each year to respond to all the requests. Staff already had already received requests from four neighborhoods.
- Was the informal petition process legal? Mr. Weed responded that it was an advisory vote and not a binding decision on the council; he foresaw no legal problems.
- Regarding the petition process and the requirement for support from 50% of the total number of affected households, how would this be determined? Mr. Carter stated this would be looked at neighborhood by neighborhood, as people driving through were also affected.
- How would this be funded this year? Mr. Carter advised there was nothing in this year's budget for the program, but there was some engineering study money available to do data gathering and Level 1 fixes, which had a minimal expense. They would have to come to council for a budget amendment before implementing any Level 2 options. The Department was also pursuing grants. The city would cover the cost of the proposed options; citizens would not be asked to pay for them.

MOTION by Leighan, second by Bartholomew, to utilize the Traffic Management Program as presented. Motion carried unanimously (7-0).

3. Truck Parking

Mr. Winckler gave the background information.

Councilmember questions and comments included:

- Would the proposal eliminate truck parking on 4th between 47th and State? Mr. Winckler responded that the current policy allowed truck parking only on Second Street from Columbia to State, based on the restriction of 16 feet from the center line of the street to the outside wheel.
- Grove had a speed limit of 30. Mr. Winckler noted that Grove, from 67th to Cedar, was on the truck route, but if the speed limit was 30, trucks could not park there.
- The people driving the trucks oftentimes are city residents; not being able to park their trucks near their homes would work a hardship on them.
- Should this be the topic of a well-publicized public hearing? Mr. Winckler responded that this topic had not been advertised as a public hearing, but many notices had been sent to trucking firms in the area and copies were taken to Donna's Truck Stop.

Commander Krusey stated the current code was ambiguous and difficult to enforce. On May 18 warning citations were placed on rigs parked on 528 east of State. On the 19th and 22nd, there were no rigs parked there. Councilmember Leighan noted there had been four or five between State and Armar Road over the weekend.

Mr. Winckler raised the issue of the 25 mph limit as a criteria for defining an area where trucks could park. This low speed limit requirement served to push truck parking onto neighborhood streets. He mentioned some other possibilities: 134th, Cedar between 1st and 4th, and the old KFC on State, which was now a large unused parking lot. Using Cedar would displace some commuter parking, so he recommended delaying that until the Ash Park & Ride lot was completed. The KFC property was privately owned, but the city might be able to get authorization from the owners on a temporary basis.

Concern was expressed about the 24-hour restriction on motor homes parked at someone's home. Mr. Winckler stated that was the current code.

The Mayor called for audience input.

Jeff Seibert had no problem with overnight parking of trucks but did have a problem with long-term parking. He did not support truck parking on Cedar. Regarding motor homes, he suggested limiting it to one week at a time and a given number of times per year.

Commander Krusey stated any motor home code should be clear so that officers were not put in the position of making judgments regarding whether or not the people could stay there longer. Ms. Hirashima added that city codes do not allow temporary habitation on residential property. The rig could be parked there, but if neighbors complained that people were living in the trailer, a compliance officer would be sent to investigate.

MOTION by Dierck to take no action and leave the code as written. There was no second.

Councilmember Pedersen suggested there were many unanswered questions regarding this issue so council action was premature. She felt that people who made their living driving truck should be able to come home on weekends and not be harassed. Councilmember Bartholomew added that the city should be careful not to drive existing trucking businesses away as they contributed to the tax base.

MOTION by Dierck, second by Soriano, to bring this issue back to council along with some proposed alternatives. A suggested alternative for RV parking would be one week at a time, two times per year. Motion carried unanimously (7-0). Council requested the topic be reviewed at the June 26 meeting.

CONSENT AGENDA

1. Approve May 22, 2000 claims in the amount of \$658,744.54; paid by check nos. 52178 through 52463 with check nos. 50076, 52168, and 52227 void.
2. Authorize Mayor to sign the interlocal agreement for the Snohomish County Regional Task Force.
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7. Approve Supplemental Agreement No. 3 with Skillings Connelly; R9701-State Avenue 116th Street to 136th Street Road Improvements Project.

MOTION by Dierck, second by Bartholomew, to approve consent items 1, 3, 4, 5, and 7. Motion carried unanimously (7-0) as to 1, 3, 5 and 7. Councilmember

Bartholomew abstained on item 4 due to a conflict of interest; motion carried (6-0-1).

Councilmember Bartholomew asked about the contract covering the Regional Task Force. Mr. Weed stated he had reviewed and approved it. The hold harmless agreement was fair and equitable to all jurisdictions involved. Councilmember Leighan noted the city's portion was \$2623; he questioned if there were other costs. Commander Krusey responded that the city paid the officer's salary and the task force paid his overtime. He already had an assigned vehicle. His other equipment, cell phone and pager, were provided by the task force. The city's commitment was to the county-wide task force and would pay its assessment even if it did not have an officer participating.

Regarding item 6, Councilmember Dierck asked about the new requirements. Mr. Winckler stated the ESA requirement was for a larger detention system than was currently there. Additional time was needed to locate a place for that and do the design work. Mr. Carter added that a biological assessment was needed and they were working with the Department of Fisheries on it.

MOTION by Dierck, second by Leighan, to approve items 2 and 6. Motion carried unanimously (7-0).

Legal

None.

Ordinances & Resolutions

1. An Ordinance of the City of Marysville, Washington amending MMC 12.32.050 relating to vacation of streets and alleys and the methods of appraisal of the right of way to be vacated.

Councilmember Smith raised the question of when the method for determining value would be identified. Councilmember Pedersen clarified that council would make the determination regarding the method at the time it agreed it wanted to vacate the property.

MOTION by Pedersen, second by Leighan, to approve Ordinance 2321. Motion carried unanimously (7-0).

2. An Ordinance of the City of Marysville amending Ordinance No. 2301 relating to the 2000 budget and providing for the change of certain expenditure items as budgeted for in 2000.

MOTION by Bartholomew, second by Soriano, to approve Ordinance 2322. Motion carried unanimously (7-0).

3. A Resolution of the City of Marysville stating its intention to apply for funding assistance for an aquatic lands enhancement account project to the Department of Natural Resources.

MOTION by Soriano, second by Bartholomew, to approve Resolution 1981. Motion carried unanimously (7-0).

4. A Resolution of the City of Marysville granting a utility variance for Jesse A. Perrault for property located at 4930 72nd Drive N.E., Lot 7, Marysville, Washington.

MOTION by Bartholomew, second by Dierck, to approve Resolution 1982. Motion carried unanimously (7-0).

5. A Resolution of the City of Marysville granting a utility variance for Olga Bjorn for property located at 17028 19th Drive N.E., Arlington, Washington.

MOTION by Pedersen, second by Dierck, to approve Resolution 1983. Motion carried unanimously (7-0).

6. A Resolution of the City of Marysville granting a utility variance for Michael Martin for property located at 6710 19th Avenue N.E., Marysville, Washington.

MOTION by Dierck, second by Smith, to approve Resolution 1984. Motion carried unanimously (7-0).

7. A Resolution of the City of Marysville granting a utility variance for Steve J. Brown for property located at 6620 19th Avenue N.E., Marysville, Washington.

MOTION by Dierck, second by Smith, to approve Resolution 1985. Motion carried unanimously (7-0).

DISCUSSION ITEMS:

None.

INFORMATION ITEMS:

1. Mayor's business.
 - Reported that the City of Everett was willing to continue animal control for a short period of time. A non-profit group was getting ready to reopen the Arlington animal shelter.

2. Staff's business
 - Commander Krusey:
 - Gave a brief report on the status of the Department's accreditation process. Of the 39 chapters required, 22 had been submitted, 5 had been approved.

 - Mr. Weed:
 - One June 29 there would be a hearing before the Supreme Court on I-695. A decision was expected by late summer or fall.

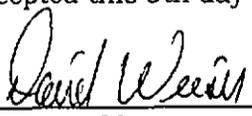
 - Ms. Hirashima:
 - Staff was reviewing the school district's capital facility plan update; Snohomish County was reviewing it also.

3. Call on councilmembers
 - Councilmember Dierck:
 - Asked about the "no parking" signs on 76th. Mr. Winckler noted the signs had been placed and replaced a total of six times. Councilmember Dierck agreed to show staff the exact location where the signs were intended to be posted.

ADJOURN

Council adjourned at 11 p.m.

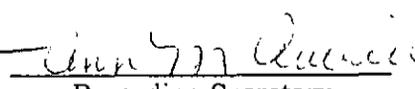
Accepted this 5th day of June, 2000.



 Mayor



 City Clerk



 Recording Secretary